

Remarks/Arguments

INTERVIEW SUMMARY

Applicants would like to thank the Examiner for the interview granted on September 9, 2009. The information discussed below was discussed in the interview.

RESPONSE

Claims 1-28 and 30-31 are pending in the current application. Claims 30 and 31 are new and claim 29 is canceled. All amendments are supported by the specification. In particular, new claims 30 and 31 are supported by Paragraph [0022] of published application 2005/0171821.

The Office Action asked the Applicants to state specific improvements of the subject matter in claims 8, 10, 12, 14, 16, 18, 20, 22, 24 and 26 over the disclosed prior art. Each of these claims take into account past group demands and available configurable group space (including group individual space and group function space) that is not in the disclosed prior art.

In addition, the Office Action asked Applicants to provide copies of each publication which any of the inventors authored or co-authored and which describe the disclosed subject matter of claims 8, 10, 12, 14, 16, 18, 20, 22, 24 and 26. Applicants are not aware of any publications (i.e., publicly available documents) authored or co-authored by any of the inventors dealing with this subject matter. The Office Action also asked for a copy of each publication that any of the inventors relied upon to draft the claimed subject matter. The IDS filed concurrently with the Amendment includes two books: Anthony INGOLD's *Yield Management* and Robert G. Cross' *Revenue Management: Hard-Core Tactics for Market Domination*. Claim 1 is different from each of these books in that Claim 1 includes the limitation "obtaining at least one

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set of past demands including both past transient demands and past group demands for the at least one configurable space, the at least one space comprising transient individual space, group individual space, and group function space.”

The Office Action objected to Claims 28 and 29, indicating that these claims are not supported in the specification. Applicants disagree, but in order to expedite allowance of the claims, Applicants have cancelled Claim 29 and amended the specification to include the exact subject matter of originally filed Claim 28.

The Office Action rejected Claims 1-27 under 35 USC 101. Applicants have amended Claims 1-27 to overcome this rejections.

The Office Action rejected Claims 8, 10, 12, 14, 16, 18, 20, 22, 24 and 26 under 35 USC 112. Applicants have amended these claims to include variable information found in the specification. Examples of support in published application 2005/0171821 for the variable information is as follows: Claim 8 (Paragraphs [0019], [0033], [0047]), Claim 10 (Paragraphs [0019], [0033], and [0039]), Claim 12 (Paragraph [0019]), Claim 14 (Paragraphs [0019], [0033], [0039]), Claim 16 (Paragraphs [0019], [0033], [0039], [0063]), Claim 18 (Paragraphs [0019], [0063], [0075]), Claim 20 (Paragraph [0063]), Claim 22 (Paragraph [0084]), Claim 24 (Paragraphs [0084], [0112], [0113]), and Claim 26 (Paragraph [0153]).

The Office Action also rejected Claim 9 under 35 USC 112. Applicants have amended Claim 9 in order to overcome this rejection.

The Office Action rejected Claims 1-5, 7, 9, 11, 17, 25, and 29 under 35 USC 102(b) as being anticipated by Lawrence et al. Applicants disagree. Lawrence is related to revenue management as bookings arrive. In contrast, Claim 1 is directed to measuring the performance

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of a revenue management system based on a set of past demands. This is supported, for example, in paragraphs 5, 11, and 18-19 of the published application 2005/0171821. This can be done, for example, to measure how a certain lodging entity managed its overall space based on the demand for the different types of spaces (e.g., transient individual space, group individual space, group function space, and configuration of the spaces) in the overall space (e.g., a lodging entity). Claim 1 is thus patentable. Claim 28 has similar limitations and is thus patentable for the same reasons. Claims 2-27 and 30-31 depend either directly or indirectly on Claim 1, and are thus also patentable.

The application has been amended to place the application in better condition for allowance. All amendments are supported by the specification. An early notice of allowance is earnestly solicited.

Please charge any shortage in the fees or credit any overpayment to Deposit Account No. 50-3266.

Respectfully submitted,

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